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NOTICE OF ALLOWANCE AND FEE(S) DUE

22204 7590 10/22/2004

NIXON PEABODY, LLP
401 9TH STREET, NW
SUITE 900
WASHINGTON, DC 20004-2128

EXAMINER

ABDI, KAMBIZ

ART UNIT

PAPER NUMBER

3621

DATE MAILED: 10/22/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,950	12/17/2001	Mark J. Stefik	111325-87	3970

TITLE OF INVENTION: COMPOSITE DIGITAL WORKS HAVING USAGE RIGHTS AND METHOD FOR CREATING THE SAME

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1370	\$300	\$1670	01/24/2005

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (703) 746-4000**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

22204 7590 10/22/2004

NIXON PEABODY, LLP
401 9TH STREET, NW
SUITE 900
WASHINGTON, DC 20004-2128

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

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nonprovisional	NO	\$1370	\$300	\$1670	01/24/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
ABDI, KAMBIZ	3621	705-001000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1	_____
2	_____
3	_____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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NIXON PEABODY, LLP 401 9TH STREET, NW SUITE 900 WASHINGTON, DC 20004-2128			ABDI, KAMBIZ	
			ART UNIT	PAPER NUMBER
			3621	

DATE MAILED: 10/22/2004

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 307 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 307 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.



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Notice of Fee Increase on October 1, 2004

If a reply to a "Notice of Allowance and Fee(s) Due" is filed in the Office on or after October 1, 2004, then the amount due will be higher than that set forth in the "Notice of Allowance and Fee(s) Due" because some fees will increase effective October 1, 2004. See Revision of Patent Fees for Fiscal Year 2005; Final Rule, 69 Fed. Reg. 52604, 52606 (May 10, 2004).

The current fee schedule is accessible from WEB site (<http://www.uspto.gov/main/howtofees.htm>).

If the fee paid is the amount shown on the "Notice of Allowance and Fee(s) Due" but not the correct amount in view of the fee increase, a "Notice of Pay Balance of Issue Fee" will be mailed to applicant. In order to avoid processing delays associated with mailing of a "Notice of Pay Balance of Issue Fee," if the response to the Notice of Allowance is to be filed on or after October 1, 2004 (or mailed with a certificate of mailing on or after October 1, 2004), the issue fee paid should be the fee that is required at the time the fee is paid. See Manual of Patent Examining Procedure (MPEP), Section 1306 (Eighth Edition, Rev. 2, May 2004). If the issue fee was previously paid, and the response to the "Notice of Allowance and Fee(s) Due" includes a request to apply a previously-paid issue fee to the issue fee now due, then the difference between the issue fee amount at the time the response is filed and the previously-paid issue fee should be paid. See MPEP Section 1308.01.

Effective October 1, 2004, 37 CFR 1.18 is amended by revising paragraphs (a) through (c) to read as set forth below.

Section 1.18 Patent post allowance (including issue) fees.

- (a) Issue fee for issuing each original or reissue patent, except a design or plant patent:
- By a small entity (Sec. 1.27(a))..... \$685.00
 - By other than a small entity..... \$1,370.00
- (b) Issue fee for issuing a design patent:
- By a small entity (Sec. 1.27(a))..... \$245.00
 - By other than a small entity..... \$490.00
- (c) Issue fee for issuing a plant patent:
- By a small entity (Sec. 1.27(a))..... \$330.00
 - By other than a small entity..... \$660.00

Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

Notice of Allowability

Application No.

10/015,950

Examiner

Kambiz Abdi

Applicant(s)

STEFIK ET AL.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11 June 2003.
2. ☒ The allowed claim(s) is/are 1,4,8,10,12,15,18,21 and 23.
3. ☒ The drawings filed on 17 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

DETAILED ACTION

The text of those sections of Title 35, U.S. Code not included in this section can be found in the prior office action. Prior office action dated 15 October 2002 is incorporated in this office action by reference.

- Claims 2-3, 5-7, 9, 11, 13-14, 16-17, 19-20, and 22 are canceled.
- Claims 1, 4, 8, 10, 12, 15, 18, 21 and 23 have been allowed.

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in an interview with attorney Carlos R. Villamar on 31 August 2004.

The examiner under agreement by the attorney representing the applicant has amended claims 1, 12, and 18.

The claims in the application has been amended as follow:

1. (Currently amended) A method for creating a composite digital work having usage rights, said method comprising:

a) electronically creating a digital content portion of a composite digital work including a plurality of content parts; and

b) electronically creating a description structure for said composite digital work, said description structure comprising a plurality of description blocks including usage rights associated with at least a corresponding at least one of said content parts, said usage rights specifying a manner of use for the corresponding one of said content parts, said manner of use indicating one or more stated purposes for which the corresponding digital content portion can be at least one of used and distributed by an authorized user;

c) interpreting said usage rights with a device including a repository to determine if access to the digital content can be granted; and

d) storing said composite digital work in a repository,

wherein said step (a) comprises the steps of:

a1) electronically creating a first content part of said composite digital work;

a2) electronically creating a second content part of said composite digital work; and

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a3) combining said first content part and said second content part to form said content portion, said step (b) comprises:

b1) electronically creating a first description block including a first set of usage rights associated with said first content part;

b2) electronically creating a second description block including a second set of usage rights associated with said second content part; and

b3) electronically creating a third description block including a third set of usage rights associated with the combination of said first content part and said second content part,

said step (b) comprises linking said first description block, said second description block and said third description block in a manner corresponding to the organization of said composite digital work,

said step (d) comprises the steps of storing said description structure in a first storage device and storing said digital content portion in a second storage device,

said step of creating the third description block comprises specifying the third set of usage rights and storing the third set of usage rights in a control information part of said third description block, and

said third set of usage rights include a usage right indicating that no subsequent description blocks for specifying usage rights may be added to the description structure.

2-3. (Cancelled)

4. (Currently Amended) The method as recited in claim 1, wherein said steps (a2) and (b2) comprise obtaining an existing digital work having a description block associated therewith as said second content part and said second description block.

5-7. (Cancelled)

8. (Currently amended) The method as recited in claim 1, wherein each of said first description block, said second description block and said third description block comprise a pointer to a corresponding content part stored in said second storage device and a control information part storing usage rights for said corresponding part of said content portion and wherein said step of creating a first description block comprises specifying the first set of usage rights and storing the first set of usage rights in said control information part of said first description block.

9. (Cancelled)

10. (Currently amended) The method as recited in claim 1, wherein said step of creating said second content part comprises extracting said second content part from an existing digital work.

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11. (Cancelled)

5 12. (Currently amended) A method for assigning usage rights to a composite digital having a digital content portion that includes a plurality of content parts that each correspond to an individual digital work, said method comprising:

a) electronically creating a description structure for said composite digital work, said description structure comprising a plurality of description blocks that each correspond to a content part of the composite digital work;

b) storing usage rights associated with a corresponding at least one of said content parts in the description blocks, said usage rights specifying a manner of use for the corresponding one of said content parts, said manner of use indicating one or more stated purposes for which the corresponding digital content portion can be at least one of used and distributed by an authorized user; and

c) interpreting said usage rights with a device including a repository to determine if access to the digital content can be granted,

wherein the composite digital work includes a first content part and a second content part and wherein said step (a) comprises the steps of:

a1) electronically creating a first description block including a first set of usage rights associated with said first content part of said composite digital work;

a2) electronically creating a second description block including a second set of usage rights associated with said second content part of said composite digital work; and

a3) electronically creating a third description block including a third set of usage rights associated with a combination of said first content part and said second content part,

said first description block, said second description block and said third description block are linked in a manner corresponding to the organization of the composite digital work,

said step of creating a third description block comprises specifying the third set of usage rights and storing the third set of usage rights in a control information part of said third description block,

said third set of usage rights include a usage right indicating that no subsequent description blocks for specifying usage rights may be added to the description structure,

said composite digital work is stored in a repository,

said description structure is stored in a first storage device, and

said digital content portion is stored in a second storage device.

13-14. (Cancelled)

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6/ 15. (Currently amended) The method as recited in claim 12, wherein each of said first description block, said second description block and said third description block is comprised of a pointer to a corresponding one of said content parts and comprise a control information part storing usage rights for said corresponding part of said content portion and wherein said step of creating a first description block for said first content part is further comprised of the step of specifying a the first set of usage rights and storing the first set of usage rights in said control information part of said first description block.

[16-17. (Cancelled)

7/ 18. (Currently amended) A system for controlling use of a composite digital work having usage rights, said system comprising:

C 1 a digital content portion including a plurality of content parts configured to be interpreted by a rendering device; and

a description structure for said composite digital work, said description structure comprising a plurality of description blocks including usage rights associated with at least a corresponding at least one of said content parts, said usage rights specifying a manner of use for the corresponding one of said content parts, said manner of use indicating one or more stated purposes for which the corresponding digital content portion can be at least one of used and distributed by an authorized user;

a device including a repository for interpreting said usage rights to determine if access to the digital content can be granted,

wherein the said digital content portion comprises a first content part of said composite digital work and a second content part of said composite digital work,

said description structure comprises a first description block including a first set of usage rights associated with said first content part, a second description block including a second set of usage rights associated with said second content part, and a third description block including a third set of usage rights associated with said first content part and said second content part in combination,

said first description block, said second description block and said third description block are linked in a manner corresponding to the organization of said composite digital work,

said third description block comprises the third set of usage rights stored in a control information part of said third description block,

said third set of usage rights include a usage right indicating that no subsequent description blocks for specifying usage rights may be added to the description structure,

said composite digital work is stored in a repository,

said description structure is stored in a first storage device, and

said digital content portion is stored in a second storage device.

[19-20. (Cancelled)

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21. (Currently amended) The system as recited in claim 18, wherein said second content part comprises an existing digital work having a description block associated therewith.

22. (Cancelled)

C1 9
23. (Currently amended) The system as recited in claim 18, wherein each of said first description block, said second description block and said third description block comprise a pointer to a corresponding content part and a control information part storing usage rights for said corresponding part of said content portion.

Allowable Subject Matter

1. Claims 1-23 are allowed over the prior art of record.
2. The following is an examiner's statement of reason for allowance:

The closest prior art of record is U.S. Patent No. 5,260,999 to Robert M. Wyman. Wyman provides a method and system to control usage policy of a digital product based on licensed terms, conditions, and authorization. Wyman is directed towards distribution of digital products and licensing the same either in full or in part. Wyman also discloses how a rights management system and method can add terms and condition to a licensed digital software, content, or data. But clearly Wyman points to a method that usage rights are based on a go or no go type of licensing. On the other hand, applicants claimed invention is directed towards creating a composite digital works that have attached usage rights.

The usage right is not based on solely on a Boolean operation of Wyman but also depends on;

"b1) electronically creating a first description block including a first set of usage rights associated with said first content part;

b2) electronically creating a second description block including a second set of usage rights associated with said second content part; and

b3) electronically creating a third description block including a third set of usage rights associated with the combination of said first content part and said second content part,

said step (b) comprises linking said first description block, said second description block and said third description block in a manner corresponding to the organization of said composite digital work,

said step (d) comprises the steps of storing said description structure in a first storage device and storing said digital content portion in a second storage device,

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said step of creating the third description block comprises specifying the third set of usage rights and storing the third set of usage rights in a control information part of said third description block, and said third set of usage rights include a usage right indicating that no subsequent description blocks for specifying usage rights may be added to the description structure" as been claimed.

The closest foreign prior art of record is European Patent No. GB-2236604 A to John R Corbin, and the NPL cited by the applicant titled "Digital Rights Management Technology" by Weber, R. published in October 1995, which they relate to the general state of the art.

In regards to claims 1, 12 and 18, the closes prior art of record when taken either individually or in combination with other prior art of record fails to tech or suggest the step of "said usage rights specifying a manner of use for the corresponding one of said content parts, said manner of use indicating one or more stated purposes for which the corresponding digital content portion can be at least one of used and distributed by an authorized user". Digital use is clearly based on the attributes used based on the "a description structure for said composite digital work, said description structure comprising a plurality of description blocks including usage rights associated with at least a corresponding at least one of said content parts".

Claims 2-11, 13-17, and 19-23 are dependent upon claims 1, 12, and 18, thus they have all the limitations of claim 1, 12, and 18, therefore, they are allowable for that same reason.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Abdi whose telephone number is (703) 305-3364. The examiner can normally be reached on 9 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P Trammell can be reached on (703) 305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through

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Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks
Washington, D.C. 20231**

or faxed to:

(703) 872-9306 [Official communications; including After Final communications labeled "Box AF"]

(703) 746-7749 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to:

**Crystal Park 5, 2451 Crystal Drive
7th floor receptionist, Arlington, VA, 22202**

Kambiz Abdi
Examiner
October 13, 2004

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